

**STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) & 1.27(b))--INDEPENDENT INVENTOR**

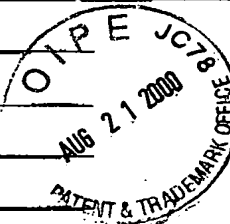
Docket Number
4007-8007

Applicant, Patentee, or Identifier: Dwayne LACEY

Application or Patent No.: 09/335,714

Filed or Issued: Filed June 18, 1999

Title: HEAD MASSAGING DEVICE



As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

- ☐ the specification filed herewith with title as listed above.
- ☒ the application identified above.
- ☐ the patent identified above.

I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ No such person, concern, or organization exists.
- ☐ Each such person, concern, or organization is listed below:

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

Dwayne LACEY
NAME OF INVENTOR

D. Lacey
SIGNATURE OF INVENTOR

10/9/99
DATE

♦ Lydon & Brown ♦
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X

Declaration and Power of Attorney For U.S. Patent Application

As a below named inventor, I hereby declare that:

1. My residence, post office address and citizenship are as stated below my name.
2. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Head Massaging Device

the specification of which:

- a. ☐ is attached hereto, OR
- b. ☒ was filed in the U.S. Patent & Trademark Office on June 18, 1999, and was assigned United States Serial Number 09/335,714, and was amended on _____ (if applicable).

3. I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

4. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56.

5. I hereby appoint as principal attorney Kevin C. Brown, U.S. Patent & Trademark Office Registration No. 32,402, to prosecute the above-identified application (and any continuation, division or continuation-in-part thereof) and to transact all business in the U.S. Patent and Trademark Office connected therewith.

6. Please direct all communications concerning this application to the following address:

Brown Law Offices
 1606 Belle View Blvd., # 610
 Alexandria, VA 22307-6531 USA

Telephone: (703) 768-1293
 Facsimile: (703) 768-8799

7. I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or under §365(a) of any PCT International application which designated at least one country other than the United States, listed below, and have also identified below any foreign application for patent or inventor's certificate or PCT International Application having a filing date before that of the application(s) for which priority is claimed:

Priority Claimed

_____ (Application Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____ (Application Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____ (Application Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____ (Application Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

☐ See attached list for additional prior applications included in this list.


8. I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

_____ (Application Number)	_____ (Day/Month/Year Filed)
_____ (Application Number)	_____ (Day/Month/Year Filed)

9. If the present application is a continuation-in-part under 35 U.S.C. §120 of any prior application, any such prior application being listed immediately below this sentence, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. §1.56 which information became available between the filing date of the prior application and the national or PCT International filing date of this application.

_____ (Application Serial Number)	_____ (Day/Month/Year Filed)	_____ (Status--patented, pending or abandoned)
_____ (Application Serial Number)	_____ (Day/Month/Year Filed)	_____ (Status--patented, pending or abandoned)

10. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

Sole Inventor's signature:  Date 23 May 2000

Full name of Sole or First inventor: Dwayne LACEY

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